

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LIQUIDATING TRUST OF TEXAS  
PELLETS, INC. AND GERMAN  
PELLETS TEXAS, LLC,

*Plaintiff,*

OFFICIAL UNSECURED CREDITORS  
COMMITTEE OF TEXAS PELLETS,  
INC. AND GERMAN PELLETS, LLC,

*Intervenor,*

V.

IPBG PELLETS BETEILIGUNGS  
GMBH, PETER LEIBOLD, ANNE  
LEIBOLD, and MICHAEL LEIBOLD,

*Defendant.*

Case No. 2:18-cv-00178-JRG-RSP


## ORDER

Defendants Anne Kathrin Leibold and Michael Leibold filed a Motion to Dismiss for Lack of Personal Jurisdiction (Dkt. No. 78) and a Motion to Dismiss on Grounds of *Forum Non Conveniens* (Dkt. No. 79.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 113), denying Defendants' Motions to Dismiss. Defendants have now filed Objections (Dkt. No. 122) to the Report and Recommendation.

After conducting a *de novo* review of the briefing on the Motions to Dismiss, the Report and Recommendation, and the briefing on Defendants' Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous.

Accordingly, the Court **OVERRULES** Defendant's Objections, **ADOPTS** the Report and Recommendation, and **DENIES** the Motion to Dismiss for Lack of Personal Jurisdiction (Dkt. No. 78) and the Motion to Dismiss on Grounds of *Forum Non Conveniens* (Dkt. No. 79.)

**So ORDERED and SIGNED this 29th day of September, 2020.**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE